

**FILED**

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF OKLAHOMA

JUL - 2 2013

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT, WESTERN DIST. OF OKLA.  
BY wh DEPUTY

KYLE THOMAS,

Petitioner,

vs.

TRACY McCOLLUM, Warden,

Respondent.

No. CIV-13-622-W

**ORDER**

On June 24, 2013, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation in this matter and recommended, among other things, that the Court deny the request of petitioner Kyle Thomas, proceeding pro se, to litigate this matter without prepayment of the filing fee of \$5.00.

Although Thomas was advised of his right to object, see Doc. 6 at 2, he has not objected to the Report and Recommendation; rather, he has paid the filing fee in its entirety. See Doc. 7.

Upon review of the record, which shows that Thomas has sufficient financial resources to pay the filing fee, see Doc. 2, the Court concurs with Magistrate Judge Mitchell's suggested disposition of Thomas' request to proceed without prepayment of the filing fee.

Accordingly, the Court

- (1) ADOPTS the Report and Recommendation [Doc. 6] filed on June 24, 2013;
- (2) DENIES Thomas' request to proceed in forma pauperis [Doc. 2], which has in effect been rendered moot by his payment of the \$5.00 filing fee, see Doc. 7; and

(3) RE-REFERS this matter to Magistrate Judge Mitchell for further proceedings.

ENTERED this 2nd day of July, 2013.



LEE R. WEST  
UNITED STATES DISTRICT JUDGE